

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PILAR BELENDEZ-DESHA, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

JAF COMMUNICATIONS INC. d/b/a THE
MESSENGER,

Defendant.

CASE NO. 24cv0741 (MMG)

**AFFIDAVIT OF DEMETRIUS JENKINS
REGARDING MAILING OF NOTICE OF
CLASS ACTION**

I, Demetrius Jenkins, attest and say:

1. I am a Case Manager at American Legal Claim Services, LLC (“ALCS”),
noticing agent for the class in the above-captioned case.
2. On December 18, 2024, the Court entered its *Memorandum Opinion and Order*
granting class certification (ECF 38).
3. On January 2, 2025, Class Counsel provided ALCS with a mailing list identifying
each putative class member, their name and last known address (the “Class List”).
4. On January 6, 2025, ALCS mailed Notice of Class Action, attached hereto as
Exhibit A, to all 279 Class Members contained in the Class List, attached hereto as **Exhibit B**.

I declare under penalty of perjury pursuant to the laws of the State of Florida that the
foregoing is true and correct to the best of my knowledge.

Executed on January 8, 2025, in Jacksonville, Florida.


Demetrius Jenkins

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PILAR BELENDEZ-DESHA, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

JAF COMMUNICATIONS INC. d/b/a THE
MESSENGER,

Defendant.

CASE NO. 24cv0741 (MMG)

NOTICE OF CLASS CERTIFICATION

***YOU ARE NOT BEING SUED. PLEASE READ THIS NOTICE CAREFULLY AS IT MAY
AFFECT YOUR RIGHTS.***

TO: Plaintiff and other similarly situated former employees of Defendant who worked at, received assignments from, or reported to any of its sites and who were terminated within 30 days of January 31, 2024.

SUBJECT: Class action on behalf of former employees of The Messenger alleging claims under the WARN (Worker Adjustment and Retraining Notification) Acts for failure to provide advance notice of the January 31, 2024 shutdown.

DATE: JANUARY 6, 2025

THE CLASS CLAIM

Plaintiff worked for Defendant until she, along with other employees, was terminated without cause on or about January 31, 2024. Neither she nor others similarly situated received at least 60 days' written notice as required by the WARN Act, or 90 days' written notice as required by the NY WARN Act.

On February 1, 2024, Plaintiff filed a class action complaint in this court against Defendant. In the complaint, Plaintiff seeks damages in the amount of up to 60 days' pay and ERISA benefits due to Defendant's alleged violation of the WARN Acts. Specifically, Plaintiff alleges that on January 31, 2024, and within 90 days of January 31, 2024, she and other similarly situated employees were terminated from their employment without 60 days advance written notice of their terminations as required by the WARN Acts. Plaintiff alleges that Defendant terminated her and the other employees unlawfully and are liable to her and other employees for up to 60 days' wages and benefits.

Defendant has not filed an answer to the complaint.

THE DEFINITION OF THE CLASS

The Court has recently certified this case as a Class Action. The Class is defined as:

Plaintiff and other similarly situated former employees of Defendant: (i) who worked at, received assignments from, or reported to its sites, (ii) who were terminated within 30 days of January 31, 2024, and (iii) who have not filed a timely request to opt-out of the class.

WHAT TO DO

If you wish to be a member of the class, you do not need to do anything, and you will receive whatever benefits you may be entitled to if you are determined to be eligible as a Class Member. If you do nothing, you will automatically be a Class Member and be bound by any judgment (whether favorable or unfavorable) or court-approved settlement in the case. Before court approval, you, as a Class Member, will receive notice of any proposed settlement and will be afforded an opportunity to object to the settlement. You may appear by your own counsel if you are a Class Member.

If you do NOT wish to participate in this Action and wish to be EXCLUDED and thereby reserve your rights under the WARN Acts and NOT share in any recovery in the Action, sign the form below and mail it by First Class Mail to Raisner Roupinian LLP, 270 Madison Avenue, Suite 1801, New York, New York 10016, (212) 221-1747, Attn: René S. Roupinian. The form must be received by Ms. Roupinian no later than **February 5, 2025**. All requests for exclusion received after that date will not be effective, and any person who sends a late request will be a member of the class in the Action and will be bound in the same way and to the same extent as all other Class Members.

CLASS COUNSEL AND CLASS REPRESENTATIVE

The Plaintiff who initiated this lawsuit is represented by Raisner Roupinian LLP, 270 Madison Avenue, Suite 1801, New York, New York 10016, (212) 221-1747. The Court has also recently appointed Pilar Belendez-Desha as the Class Representative and Raisner Roupinian LLP as Class Counsel.

THE COURT HAS NO POSITION ON THE MERITS

The Court has taken no position regarding the merits of the Plaintiff's claims.

ADDITIONAL INFORMATION

If you wish information or assistance, please contact Jenny Hoxha of Raisner Roupinian LLP at (212) 221-1747. ***Please do not call or contact the Court or Defendant's Counsel for information.***

EXCLUSION FORM

Belendez-Desha v. JAF Communications, Inc. dba The Messenger
United States District Court for the Southern District of New York
Civ. A. No. 24cv0741 (MMG)

I, the undersigned, have read the foregoing Notice and understand its contents.

I, the undersigned, **do not** want to be part of the Class Action or receive any benefits from the Class Action and do not wish to be bound by the outcome of the Class Action.

Signature

Address

Name (printed or type)

Telephone

Date

If you do NOT wish to be included, send this completed form to:

Raisner Roupinian LLP
270 Madison Avenue, Suite 1801
New York, New York 10016
Attn: René S. Roupinian

Exhibit B

THE MESSENGER WARN

Exhibit B

Class Member	Class Member
1 ABDULFATTAH, FATMAKHALED	41 CAMPISI, JESSICASARA
2 ACHARYA, NIHARIKA	42 CAPUTO, MARC A
3 ADEOSUN, ADEOLA	43 CARRASQUILLO, ADRIAN
4 AIDEN, SINOBIA C	44 CASTRO, JEFFREY
5 AKERS, MARY ANN	45 CHARLES, MICHAEL
6 ALBRIGHT, NICOLE GAUDIANO	46 CHAVERS, JOSHUA AARON
7 ALCENDOR, THORACLAUDETTE	47 CHIARAMONTE, PERRY
8 ALL, SAFIASAMEE	48 CHUMACIAS, TIN HO
9 ANDERSON, KARI MARRIOTT	49 CLARK, NOELENE
10 ANEETA, ASHTON MATHUR	50 COLES, ALEXANDER
11 ARADILLAS, ELAINE	51 COOLEY, PATRICKARTHUR
12 ASKINASI, RACHEL	52 COSTELLO, THOMAS
13 AYALA, CHRISTINE	COVINGTON, JEROME THOMAS
14 AZZI, ALEXANDRA	53 KARNES
15 BACHMAN, JUSTIN	54 CRAIG, FRANKLEROY
16 BALAGTAS, TRISTAN	55 DANA, SARA PEYTON
BAYLIS, SHEILA ELIZABETH	56 DAUL, ERICA
17 COSGROVE	57 DAVIS, SETH
18 BECKMAN, CELINE	58 DENT, ALEC
19 BECKMAN, RICHARD	59 DJORDJEVIC, PATRICK JOHN
20 BELENDEZ-DESHA, PILAR M	60 DOWD, TRONE LEON-JAMEL
21 BELL, AMANDA JUNE	61 DOYLE, LAUREN
22 BELL, MARTIN A	62 DUGAN, CHRISTINA
23 BERNHARDT, KIMBERLY	63 DZHANOVA, YELENA
24 BERTHELSEN, CHRISTIAN	64 EDMONDS, JAVON
25 BIONDO, ANNTANINNA MARIA	65 EDWARDS, MARK T
26 BLUTH, JORDAN	66 EHRHARDT, MICHELLE SIMON
27 BOOKSTAVEN, ERICA DAWN	67 EISINGER, MARY AMY ELIZABETH
28 BOSSERMAN, BRADLEY	68 ESTERS, KATHERINE L
29 BOYKIN-PATTERSON, CLARICE EBONI	69 EWALT, DAVID
30 BRODY, LANAE	70 FABBRO, ROCIO ALDANA
31 BROWN, ABRAM	71 FANELLI, JENNA
32 BROWN, STEPHEN BRODY	72 FEIS, AARON
33 BROWNING, LYNNLEY	73 FEUERHERD, BENJAMIN
34 BURGE, CASSANDRA LAUREN	74 FINKELSTEIN, GREGORY
35 BURKE, BRIANNA MARIE	75 FITZGERALD, MADELINE
36 BURRY, THEODORE	76 FLORES, ROXANNE
37 BUTLER, ANN	77 FRANCISCO, CARINA JEAN
38 BUXBAUM, EVAN	78 FRATES, RICANNIA
39 CABRERA, YANISE	79 FREDMAN, NATHANIEL
40 CAMERON, CLAIRE HELEN	80 FREY, ANISSA

THE MESSENGER WARN

Exhibit B

Class Member	Class Member
81 FUNK, LUKE	121 HUSTON, REGAN KARRIS
82 GAGNE, MATTHEW MICHAEL	122 INGALL, MARK
83 GATHER, TANITA ANJILLIAN	123 JAKIEL, OLIVIA ANNE
84 GALBRAITH, ALEXANDER	124 JONES, ALEXANDRA IRENE
85 GALLAGHER, KAYLA MARYSOL	125 JONES, KAELEN
86 GALLAGHER, NICHOLAS	126 JULIAN, ANDREW CHRISTOPHER
87 GARCIA, JAKE	127 KADY, MARTIN JOSEPH
88 GARNER, GLENN	128 KARLIS, KELLY NOEL
89 GAVIN, CHRISTOPHER	129 KARP, ILANA
90 GAVIN, WILLIAM SCOTT	130 KAUFMAN, DANIEL ANDREW
91 GEHRCKE, TAYLOR JON	131 KESSLEN, BENJAMIN ERIC
92 GELLER, ERIC	132 KING, KARA TILLIE
93 GELLER, WENDY HERMANSON	133 KIRSCHENBAUM, MICHAEL
94 GIL, BRUCE	134 KLASFELD, ADAM LOUIS
95 GILLILAND, DONALD RAYMOND	135 KLINE, LULU RUBY
96 GIOIA, MICHAEL CHRISTOPHER	136 KNAPP, JOHN DANIEL
97 GLASSMAN, THEA KORAL	137 KOPECKI, DAWN MARIE
98 GOLDBERGER, BENJAMIN	138 KOUBEK, RANDALL J
99 GOLDING, BRUCE	139 KOVAC, ADAM
100 GOLDSTEIN, MATTHEW BRIAN	140 KUMAR, NIKHIL
101 GOODING, DANIEL PETER	141 LABBATE, MARIANA
102 GOODMAN, JEFFREY	142 LAMBERT, JONATHAN
103 GOTTHELF, MICHELLE SUZANNE	143 LAPORTA, JAMES MICHAEL
104 GRAMLING, GARY	144 LAWRENCE, DEREK
105 GRASING, KIM T	145 LEEMAN, ZACHARY JON
106 GRAY, JULIA	146 LEIBY, RICHARD
107 GREENWAY, LIANA	147 LESTER, ERICA
108 GUERRERO, JODI	148 LEVITAN, DAVID
109 HAHN, JASON	149 LEWIS, ALAN
110 HARPER, BLAKE B	150 LEWIS, REID
111 HARRIS, CHRISTOPHER HUGH	151 LIJO, ANILAMARY
112 HELLING, STEVEN KENNETH	152 LINVILLE, BREANNAM
113 HENDERSON, CALVIN TAYLOR	153 LOBIANCO, THOMAS
114 HERBST, DIANE	154 LOEWENTHAL, EMMA
115 HIMMELMAN, KHAYA	155 LOWRY, THOMAS
116 HINEMAN, BRINLEY MORGAN	156 LUNDQUIST, PAULETTE GAIL
117 HOFFMAN, JORDAN	157 MARKAZI, ARASH
118 HOLT, MATTHEW MARCUS	158 MARKMAN, CASEY LEIGH
119 HOOD, CAMERON GARRETT	159 MATHEWS, LIAM
120 HOWLEY, KATHLEEN M	160 MATIBAG, LORENZO

THE MESSENGER WARN**Exhibit B**

	Class Member		Class Member
161	MCCAFFERTY, RORY	201	PARNES, AMIE M
162	MCCARTHY, MEGAN KELLY	202	PARSLEY, AARON ALDEN
163	MCCASKILL, NOLAN	203	PATIERSON, CHARMAINE
164	MCCULLOUGH, BENJAMIN	204	PEREZ, DANIELA ANDREINA
165	MCDONALD, SCOTT	205	PHILLIPP, CHARLOTTE ELIZABETH
166	MCENERY, THORNTON CORMAC	206	PIESTER, LAUREN ELIZABETH
167	MCNAMARA, AUDREYMARIE	207	PIGNATARO, JULIANA
168	MCPHERSON, LINDSEY ANN	208	PINERO, ASHTON
169	MCQUIREERIR, CHRISTINE CYNTHIA	209	PLYAM, VIKTORIA
170	MEIER, LILY	210	PORTER, DANIEL
171	MENDOZA, MONICA	211	POWELL, MARYMARGARET
172	MENNITI, LAWRENCE	212	POWERS, BENJAMIN
173	MERICA, DANIEL	213	PRENDERGAST, ANGELA
174	MERRILL, MONIQUE	214	PUGLISI, COLLEEN
175	MILAM, AARON CONRAD	215	QAMAR, AYSHAMOHSAN
176	MILLER, DANA	216	RAPHAEL, RINA HANNAH
177	MILLER, MICHAEL SCOTT	217	RAYNER, CHRISTOPHER MARTIN
178	MITOKO, BERNICE AOKO	218	RED, DONALD CHRISTIAN
179	MOORE, MARK DAVID	219	REGO, MAX STEFAN
180	MORELLO, LAUREN MINA	220	REILLY, STEPHEN
181	MORGAN, LAUREN M	221	REIS, HELEN ELIZABETH
182	MORHARDT, MEGHANN LILY	222	RENNER, MICHAEL ANTHONY
183	MORIN, REBECCA DANIELLE	223	RENNIE, AARON LOWENSTEIN
184	MURPHY, HANNAH	224	RETOTAR, AMANDA
185	MURRAY, STEPHANIE CASSANDRA	225	RIOS, CYNTHIA
186	MUSE, MICHAEL DARREN	226	ROGERS, ZACHARY LEE
187	NAG CHOUDHURY, AISHWARYA	227	ROJAS, WARREN
188	NAGORSKI, THOMAS GEORGE	228	RONIS, ADAMS
189	NANJANGUD SREENIVAS, SHISHIRA	229	ROSEN, CRAIG STEVEN
190	NANNI, RYAN CHRISTOPHER	230	ROSNER, ELIZABETH MERYL
191	NEUKAM, STEPHEN	231	ROWLAND, GEOFFREY
192	NOYER, CLAIRE	232	RUBINSTEIN, JENSEN BRIANA
193	OBRIAN, BRIDGET	233	RUDDLESTON, JOSEPH JAMES
194	OCONNOR, WILLIAM	234	SAMUEL SOHN, DARREN S
195	OSHEA, KATE	235	SCHER, JONATHAN STANTON
196	OUZIS, MADELEINE SMITH	236	SCOTT, CIRO
197	PAINE, DAVIS NEIL	237	SEIPEL, BROOKE ELYSE
198	PAPENFUSS, MARYS	238	SHAHEEN, MANSUR
199	PARKER, RYAN WILLIAM	239	SHIBU, SHERIN
200	PARKS, CHRISTOPHER	240	SHIRLEY, FRANCES

THE MESSENGER WARN

Exhibit B

Class Member

241 SHTEAMER, HENRY
242 SINGER, MICHELE
243 SIWEK, VICTORIA COLETTE
244 SLOANE, NEIL
245 SNOW, JACLYN RISA
246 SPORN, JEREMY MAX
247 STEINER, HALLIE
248 STRIMEL, ALEXANDER
249 SUNDEL, JENNA
250 SUROVELL, EVA MARIE
251 SZUCS, MARIANN
252 TANIER, MICHAEL
253 TATUM, SOPHIA
254 TETTELBAUM, RICHARD SETH
255 THOMPSON, JACKSON B
256 TOLLIVER, SANDRA MARIE
257 TRAINOR, DANIEL
258 TURSI, MATTHEW FRANK
259 URBAN, ELIZABETH MARGARET
260 VARVARO, DANIELLE
261 VEALE, WILLIAM
262 VERSANO, CARLO
263 VICK, MEGAN
264 VULPO, MICHAEL
265 WAKEFORD, DANIEL ANDREW
266 WALSH, CHARLOTTE LEE
267 WALSH, ELIJAH
268 WATSON, SHYLA WHITTNEY
269 WEAVER, MARGARET ELIZABETH
270 WELCH, CARLEY WILSON
271 WERBLIN, MATTHEW
272 WHITE, BENJAMIN
273 WILLIAMS, AMANDA PAIGE
274 WOLLSTEIN, NOA
275 YASHAROFF, HANNAH MARIE
276 YSKA, GERRED RICHARD
277 ZENNIE, MICHAEL MAURICE
278 ZIMMERMAN, NEETZAN
279 ZORRILLA, MONICA MARIE